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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 GEO GUIDANCE DRILLING SERVICES, INC.,

12 Plaintiff,

13 v.

14 RENAISSANCE RESOURCES, LLC, a

15 Defendant.
16

Case No. 1:20-CV-00465 JLT

**ORDER SETTING SETTLEMENT
CONFERENCE**

(Doc. 27)

17 The parties have requested a settlement conference to attempt to determine the damage
18 amount. (Doc. 27) They have filed waivers of disqualification. (Doc. 28) Thus, the Court **ORDERS**:

19 1. A settlement conference is scheduled for **September 20, 2021**, at 9:00 a.m., located
20 at 510 19th Street, Bakersfield, California. The settlement conference will proceed via video
21 conference. The Court will provide conference details as the date approaches.

22 2. Unless otherwise permitted in advance by the Court, **the attorneys who will try**
23 **the case shall appear** at the settlement conference **with the parties** and the person or persons
24 having **full authority** to negotiate and settle the case **on any reasonable terms**¹ discussed at the
25 conference. Each of the participants **SHALL** participate in good faith and in the spirit of
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28 ¹ Insurance carriers, business organizations, and governmental bodies or agencies whose settlement agreements are subject to approval by legislative bodies, executive committees, boards of directors or the like may be represented by a person whose recommendations about settlement are relied upon by the ultimate decision makers.

1 compromise.² If they cannot do so, they SHALL alert the Court and their opponent, so that the
2 Court can determine whether the conference should be continued or vacated.

3 Consideration of settlement is a serious matter that requires preparation prior to the
4 settlement conference. Set forth below are the procedures the Court will employ, absent good
5 cause, in conducting the conference.

6 3. **At least 21 days before** the settlement conference, Plaintiff SHALL submit to
7 Defendant via fax or e-mail, a written itemization of damages and a meaningful³ settlement
8 demand which includes a brief explanation of why such a settlement is appropriate. Thereafter,
9 **no later than 14 days before** the settlement conference, Defendant SHALL respond via fax or
10 e-mail, with an acceptance of the offer or with a meaningful counteroffer, which includes a brief
11 explanation of why such a settlement is appropriate. **The parties SHALL continue to**
12 **exchange counteroffers until it is no longer productive.**

13 If settlement is not achieved, each party SHALL attach copies of their settlement offers
14 to their Confidential Settlement Conference Statement, as described below. Copies of these
15 documents shall not be filed on the court docket.

16 4. **At least five court days before** the settlement conference, the parties shall submit,
17 directly to Judge Thurston's chambers by e-mail to JLTOrders@caed.uscourts.gov, a
18 Confidential Settlement Conference Statement. The statement **should not be filed** with the
19 Clerk of the Court **nor served on any other party**, although the parties may file a Notice of
20 Lodging of Settlement Conference Statement. Each statement shall be clearly marked
21 "confidential" with the date and time of the Settlement Conference indicated prominently thereon.

22 5. The Confidential Settlement Conference Statement shall include the following:

23 A. A brief statement of the facts of the case.
24 _____
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26 ² This also means that the parties SHALL be present on the video screen whenever the Court is consulting
27 them, or they agree that any offer made in their absence is with the full authority of their counsel and **cannot** be
28 rescinded.

³ "Meaningful" means the offer is reasonably calculated to settle the case on terms acceptable to the offering
party. "Meaningful" does not include an offer which the offering party knows will not be acceptable to the other
party. If, however, the offering party is only willing to offer a settlement which it knows the other party will not
accept, this should trigger a recognition the case is not in a settlement posture and the parties should confer about
continuing the settlement conference via stipulation.

1 B. A description of the major issues in dispute and a forthright evaluation of the
2 value of the case considering the relevant legal authorities and risk inherent in
3 litigation.

4 C. An estimate of the cost and time to be expended for further discovery, pretrial and
5 trial.

6 D. The party's position on settlement, including present demands and offers and a
7 history of past settlement discussions, offers and demands.

8 IT IS SO ORDERED.

9 Dated: August 6, 2021

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE